

**Defenders  
YORK, INC.**

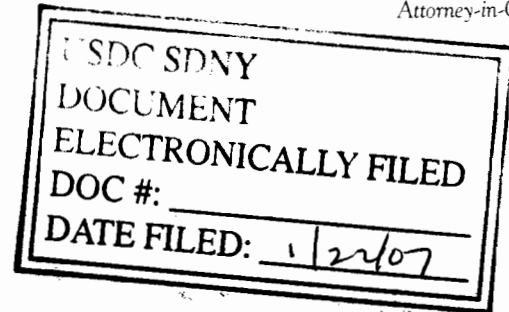
Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

January 19, 2007

Southern District of New York  
John J. Byrnes  
Attorney-in-Charge

Leonard F. Joy  
**By hand**  
Executive Director and  
Attorney-in-Chief

Honorable Kenneth M. Karas  
United States District Judge  
Southern District of New York  
500 Pearl Street - Room 920  
New York, NY 10007



**Re: United States v. Vito Forestier  
05 Cr. 1280(KMK)**

Your Honor:

We respectfully request that the following trial scheduling issue be resolved at our next (February 1<sup>st</sup>, 2:30pm) conference or before that if Your Honor deems it preferable.

As noticed to the government by copy of the enclosed letter to it, we intend to call Dr. Julie Holland, M.D., whose curriculum vita is enclosed, to give the testimony noticed to the government.

Doctor Holland recently entered private practice and her previously scheduled and non-cancelable commitments make it impossible for her to testify until Friday, February the 9th. Since, if we start February 5<sup>th</sup> as scheduled, all the non-Holland evidence is likely to be completed by the 7<sup>th</sup> or early on the 8<sup>th</sup>, we ask that Your Honor consider starting trial on February 6<sup>th</sup> or recess the trial for the duration of whatever hiatus there might be between the completion of all the other evidence and February the 9<sup>th</sup> when Dr. Holland would be available.

Respectfully,

Roland Thau  
Staff Attorney  
Tel. : 212 417-8733

enc.

cc: Brendan R. McGuire, Esq., AUSA  
By fax 212 637-2387

We will begin the trial on February 6, 2007  
at 10 am.

So Ordered  
  
1/20/07